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TAGS: [PREL](#) [MARR](#) [MOPS](#) [NATO](#) [GM](#) [AF](#)

SUBJECT: ONGOING STRIFE OVER KUNDUZ AIR STRIKE ENSNARES ZU
GUTTENBERG, PUTS POSSIBLE TROOP INCREASE AT RISK

REF: A. BERLIN 1554

[1](#)B. BERLIN 970

Classified By: POLITICAL MINISTER COUNSELOR GEORGE GLASS. REASONS: 1.4
(B) AND (D).

[1](#)1. (C) SUMMARY. The opposition parties smell blood after former Bundeswehr Inspector General Schneiderhan claimed in a newspaper interview this week that Defense Minister zu Guttenberg had "lied" in describing the circumstances of Schneiderhan's November 26 dismissal. While taking responsibility for failing to ensure that all reports regarding the controversial September 4 Kunduz air strike had been presented to the new defense minister, Schneiderhan rejected insinuations by zu Guttenberg that he had deliberately withheld information, calling this "an attack on my honor." The opposition has also tried to make political hay out of new revelations that the main motivation of the German PRT commander who ordered the air strike was not to defend against a possible attack, but rather to kill four Taliban leaders who were identified in the group of people around the fuel tankers. While zu Guttenberg is in no immediate danger of having to step down, this cannot be excluded in the weeks and months ahead as the parliamentary investigation goes forward. Given all the upheaval, there is also now a real possibility that the government will forgo seeking any increase at all in Germany's troop strength after the London Conference. SPD Caucus Leader Steinmeier has already come out against sending additional "combat troops," while apparently leaving open the possibility of sending more troops for training or force protection. The one positive aspect of this whole episode is that it has forced the government to finally acknowledge the real nature of the engagement in Afghanistan. END SUMMARY.

GOING AFTER ZU GUTTENBERG, PROTECTING SCHNEIDERHAN

[1](#)2. (C) In a December 16 Bundestag debate, both Social Democrats and Greens accused zu Guttenberg (Christian Social Union) of having fired Schneiderhan and former MOD State Secretary Wichert in order to "save his own skin" and to evade personal responsibility for his initial evaluation on November 6 that the Kunduz air strike had been "militarily appropriate." In the face of growing criticism about this assessment, zu Guttenberg did an about-face on December 3 -- a week after the firings -- and announced that in the light of new unspecified information, the air strike had in fact not been appropriate. The Social Democrats and Greens challenged zu Guttenberg to spell out exactly what new information had come to light after November 6 that led him to this reevaluation -- especially since he had claimed to have based his initial judgment on a careful study of the comprehensive NATO investigatory report. They argued that,

in fact, there was no new information and that zu Guttenberg had not been truthful in characterizing the motivation for his change in position.

13. (C) Referring to the just-established parliamentary investigatory committee, Greens Caucus Co-Chairman Juergen Trittin told zu Guttenberg at the December 16 Bundestag debate: "If Mr. Schneiderhan and Mr. Wichert stick to their statements, I see serious problems coming your way regarding your future" as defense minister. SPD Caucus Chairman Steinmeier said the key question was whether zu Guttenberg had told the Bundestag the truth or not. He warned the defense minister that "we are not going to be able to let you evade the answer to this." For his part, zu Guttenberg declined to specify the specific report or information that led him to change his evaluation of the air strike. On the firings, he reiterated that "documents, reports and information regarding the Kunduz incident were withheld from me" and noted that Schneiderhan had accepted responsibility for this in his resignation letter. "No further grounds are necessary to justify the dismissal," said zu Guttenberg. Schneiderhan is closely identified with the SPD -- having originally been appointed as Bundeswehr Inspector General in 2002 by SPD Defense Minister Scharping -- and it is clear the SPD leadership feels obligated to defend him against what they see as baseless accusations. SPD Chairman Sigmar Gabriel said on the day after the Bundestag debate that it was simply unacceptable for zu Guttenberg to "push out a highly decorated general and tell lies about it."

OPPOSITION CRITICIZES "TARGETED KILLINGS"

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4.(C) Gabriel also jumped on the revelations that the main aim of the September 4 air strike had been to kill identified Taliban leaders rather than to defend against a possible attack. He charged that the government had secretly changed the strategy of the Bundeswehr without parliamentary approval. Taking the same line, Tritten of the Greens accused Merkel of not having told "the whole truth" in her September 8 government declaration and claimed that an attack with the intent of "destroying Taliban" violated the parliamentary mandate for Bundeswehr participation in ISAF. Left Party Foreign Policy Spokesman Jan van Aken condemned the "targeted killings" as illegal, a violation of the parliamentary mandate, and contrary to previous government assurances and public portrayals of the mission. "You have always talked about reconstruction, but intended war...You have all lied and we know exactly why."

CDU/CSU DETERMINED TO SET RECORD STRAIGHT

15. (C) The CDU/CSU's chief motivation for seeking the December 16 Bundestag debate was to respond to Gabriel's charges. Deputy CDU/CSU Caucus Chair Schockenhoff accused the SPD of trying to "slip out" of its commitment to the ISAF mandate with a view toward seeking advantage in the upcoming state election in North Rhineland-Westphalia in May. Schockenhoff quoted from updated Bundeswehr rules of engagement (ROE) that had been briefed to the Defense Committee in July (ref B), which specifically allow preemptive action against known enemy forces who may be planning, preparing or supporting a possible attack on German forces. He noted that neither the SPD nor the Greens had objected at the time to the new ROE "pocket card" for German soldiers. While emphasizing that the September 4 attack was not appropriate because it contradicted the principle of proportionality, Schockenhoff argued that such a preemptive strike in theory could be justified and legal under the parliamentary mandate. He also claimed that during a November 6 MOD briefing on the NATO investigatory report, the opposition parties had been specifically informed of evidence that the September 4 air strike had been oriented not only against the fuel tankers, but also against insurgents nearby. This was nothing new.

ZU GUTTENBERG SAFE FOR NOW, BUT REMAINS VULNERABLE

¶6. (C) It is ironic that zu Guttenberg, who came into office pledging to be "more honest" about the German engagement in Afghanistan and who broke a long-standing taboo by calling the situation in Kunduz "war-like," is having his own truthfulness questioned. When zu Guttenberg fired Schneiderhan and Wichert, he was praised for his quick action and decisiveness, but this could come back to haunt him during the upcoming parliamentary investigation -- which will not begin in earnest until mid-January -- unless he can provide a more convincing explanation why he felt compelled to take this step. He will also be pressed to explain the basis of his initial evaluation of the air strike and his subsequent flip-flop. While he is in no immediate danger of having to step down, this cannot be excluded in the weeks and months ahead as the parliamentary investigation goes forward.

Zu Guttenberg will strongly resist any pressure to resign, realizing that this would almost certainly dash any further national political ambitions he might have. Chancellor Merkel will stand by zu Guttenberg, absent any further serious revelations, realizing that she is likely to be the opposition's next target if they succeed in bringing him down.

NEGATIVE EFFECT ON PROSPECT FOR MORE TROOPS

¶7. (C) Meanwhile, MFA Afghanistan/Pakistan Task Force Director Ruediger Koenig worries that this whole episode and the ongoing parliamentary inquiry will only further complicate the forthcoming German debate on additional contributions following the London Conference in January. He told us on December 17 that he can no longer exclude the possibility of the "zero option," i.e., no increase at all in Germany's troop strength. FDP Bundestag Vice President Hermann Solms told the Ambassador on December 16 that many within the government coalition itself -- mostly among the ranks of the CSU and FDP -- remain unconvinced of the need or wisdom of sending more troops. Some believe that the Bundeswehr could send the additional troops needed in Kunduz

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under the existing ceiling of 4,500 if the Bundeswehr restructured its presence and eliminated unnecessary administrative personnel in Mazar-e Sharif.

¶8. (C) Even if the government agrees on a troop increase and is completely united in advocating it, it remains questionable whether the SPD will go along; if there is any dissension within the coalition, it will give the SPD a convenient excuse to jump ship, and the few remaining Greens who supported the ISAF mandate the last time around and the many who abstained are likely to follow suit. Steinmeier said in a December 17 newspaper interview that the priority should be on preparing for a withdrawal and he rejected sending more "combat troops." His staff confirmed to us on December 18, however, that Steinmeier had deliberately intended to leave open the possibility of sending more troops for other tasks, like training of the Afghan National Army or force protection for police mentoring teams. Given the strong preference of German governments for large parliamentary majorities in favor of overseas military mandates, it is not clear whether the coalition will push through a troop increase in the face of a united opposition.

SILVER LINING

¶9. (C) If there is any redeeming aspect of the Kunduz air strike fiasco, it may be that it has finally brought out into the open what successive German governments have been playing down and hiding from the public for years -- that German armed forces, even in the relatively peaceful north, are operating in "war-like" circumstances and must be prepared to use deadly force to fulfill their mission. As one German newspaper put it: "The scandal is not that the Bundeswehr

deliberately killed fighters on the opposing side, but that they have deliberately hidden this from the public." Or as another editorialized: "The house of lies that has been built since the beginning of the Afghanistan mission in 2001 is crumbling." The open question, of course, is whether Germans will accept and embrace this new reality, or whether they will be repelled by it and retreat to their traditional, postwar pacifist tendencies.

MURPHY